

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 7th day of September, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:	Tommy Knight,	Mayor
	Vickie Abrego,	Mayor Pro Tempore
	Jay Attaway	Council Member
	Ross McElwee	Council Member
	Phillip Hyatt	Council Member

ABSENT:

ADMINISTRATIVE		
PERSONNEL PRESENT:	Reggie Winters,	City Manager
	Allen Lawrence,	City Attorney
	Yvonne Stonebraker	City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT:	Rick Kilgore	Fire Chief
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OTHERS PRESENT:	Jim & Alpha Covington, Douglas Carr, Donna Johnson/GrantWorks, Richard Gonzales, Phil Reynolds/Progress, David Underbrink/Naismith Engineering, Buck Shedd, Steven Weber, Marilyn Rimer/Herald, Ed & Ellie Block, Freddy Starks, Liza Aguilar-Wood, Jim Mills and Rosemary Vega/Chamber of Commerce.
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There may have been others present who did not sign in.

1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 P.M. on September 7, 2010.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

3. CONSIDER AND ACT ON APPROVING THE MINUTES OF AUGUST 16, 2010.

Council Member Attaway made a motion to approve the minutes of August 16, 2010. Council

Member Hyatt seconded the motion and the motion carried unanimously.

4. **CONSIDER AND ACT ON ORDINANCE NO. 2010-3979 – AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO KENDALL GILLAM FOR A BOAT AND RV STORAGE FACILITY. THE PROPERTY IS DESCRIBED AS 472 X 620 W/2 TRACT 8, LANDBLOCK 1, MCCAMPBELL SUBDIVISION, 5.02 ACRES, WEST WHEELER AVENUE, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY.**

Council Member Attaway made a motion to approve Ordinance No. 2010-3979 – An Ordinance of the City of Aransas Pass, Texas, granting a Conditional Use Permit to Kendall Gillam for a Boat and RV Storage Facility. The property is described as 472 X 620 W/2 Tract 8, Landblock 1, McCampbell Subdivision, 5.02 Acres, West Wheeler Avenue, Aransas Pass, Texas, San Patricio, Texas. Council Member Hyatt seconded the motion and the motion carried unanimously.

5. **CONSIDER AND ACT ON AMENDED HARBOR LEASE 2005-008 LOCATED AT 226 BIGELOW BY GRANT ERICKSON.**

Mayor Knight stated the first amended lease in the Council Members packets had an amount of \$204.00 a month. He stated the monthly lease amount should be \$250.00, but would let the Council decide.

Council Member Attaway made a motion to approve amended Harbor Lease 2005-008 located at 226 Bigelow by Grant Erickson for a monthly rental amount of \$250.00. Council Member Hyatt seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON AWARDED A CONTRACT TO PROVIDE TEXAS COMMUNITY BLOCK GRANT PROJECT-RELATED ADMINISTRATIVE SERVICES FOR CONTRACT 710021.**

Council Member Attaway made a motion to award a contract to GrantWorks to provide Texas Community Block Grant project-related administrative services for Contract 710021. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

7. **CONSIDER AND ACT ON AWARDED A CONTRACT TO PROVIDE TEXAS COMMUNITY BLOCK GRANT PROJECT-RELATED ENGINEERING SERVICES FOR CONTRACT 710021.**

Mayor Pro Tem Abrego made a motion to award a contract to Urban Engineering to provide Texas Community Block Grant project-related engineering services for Contract 710021. Council Member Hyatt seconded the motion and the motion carried unanimously.

8. **CONSIDER AND ACT ON APPROVING A RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE TEXAS COMMUNITY BLOCK GRANT COMMUNITY DEVELOPMENT AWARD CONTRACT 710021.**

Council Member Attaway made a motion to approve a resolution authorizing the award of professional service provider contracts to GrantWorks and Urban Engineering for the Texas Community Block Grant Community Development award Contract 710021. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON APPROVING A RESOLUTION AUTHORIZING DESIGNATED SIGNATORS FOR ITS 2010 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CONTRACT 710021.**

Council Member Attaway made a motion to approve a resolution authorizing Mayor Knight, City Manager Winters and City Secretary Stonebraker as designated signators for its 2010 Texas Community Development Block Grant Program Contract 710021. Council Member Hyatt seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON APPROVING A RESOLUTION ADOPTING SECTION 3 – LOCAL OPPORTUNITY PLAN FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Donna Johnson, GrantWorks, stated Section 3 – Local Opportunity Plan meant fair labor to local citizens.

Mayor Pro Tem Abrego made a motion to approve a resolution adopting Section 3 – Local Opportunity Plan for the Texas Community Development Block Grant Program. Council Member Hyatt seconded the motion and the motion carried unanimously.

11. **CONSIDER AND ACT ON AMENDING MR. ROLAND PENA'S FACILITY LEASE AGREEMENT FOR THE SOFTBALL COMPLEX.**

City Manager Winter's stated Mr. Pena contacted him about amending the Facility Lease Agreement due to the loss of teams from employment lay-offs. He stated Mr. Pena had requested changing from Monday's, Tuesday's and Wednesday's to Wednesdays only and changing his rental fee payment from \$600.00 a month to \$200.00 a month and had requested these changes to take effect on September 7, 2010. City Manager Winter's stated he approved the changes due to Mr. Pena paying his rental fee payment on time every month.

Council Member Hyatt made a motion to approve the amendment to Mr. Roland Pena's Facility Lease Agreement for the softball complex to Wednesdays only, rental fee payment of \$200.00 a month with an effective date of September 7, 2010. Council Member McElwee seconded the motion and the motion carried unanimously.

12. **CONSIDER AND ACT ON REQUEST OF RICHARD GONZALES FOR A DONATION FOR THE REDFISH BAY TRASH PARADE AND COASTAL CLEAN-UP.**

Mr. Gonzales stated the donation request was for the adopt-a-beach program and not the Redfish Bay Trash Parade and Coastal Clean-up. He stated the adopt-a-beach program was made up of students from the Science and Spanish Clubs and the donation would help cover the cost of water and food for the students.

Mayor Knight stated the budget was stretched pretty thin but would leave the decision up to the Council.

Council Member Hyatt made a motion to deny the request of Richard Gonzales for a donation for the adopt-a-beach program. Council Member Attaway seconded the motion and the motion carried with Mayor Pro Tem Abrego voting no.

Mr. Gonzales asked the Council if the Public Works Department could pick up the bagged garbage after the adopt-a-beach program was complete.

Mayor Knight stated yes.

13. **CONSIDER AND ACT ON ONE (1) APPOINTMENT TO THE PLANNING AND ZONING COMMISSION.**

Council Member Attaway made a motion to appointment Mr. Dan Moore to the Planning and Zoning Commission. Council Member McElwee seconded the motion and the motion carried unanimously.

14. **CONSIDER AND ACT ON THREE (3) APPOINTMENTS TO THE ARANSAS PASS CRIME CONTROL AND PREVENTION DISTRICT BOARD.**

Mayor Knight stated in the packet were three applications for the Aransas Pass Crime Control and Prevention District. He stated they were from past members Earl Buckmaster and Tom Hargrave and a new applicant Donald Brummett. He stated there was a late application from past board member Mike Keller. Mayor Knight asked City Secretary Stonebraker what was the deadline for accepting applications.

City Secretary Stonebraker stated the deadline for accepting applications was August 11, 2010.

Council Member Hyatt made a motion to appoint past members Earl Buckmaster and Tom Hargrave and new applicant Donald Brummett to the Aransas Pass Crime Control and Prevention District board. Council Member Attaway seconded the motion and the motion carried unanimously.

15. **CONSIDER AND ACT ON REQUEST OF AN AMENDMENT TO THE CITY OF ARANSAS PASS' PERSONNEL POLICY TO INCLUDE A "SICK LEAVE POOL".**

City Manager Winters stated several employees were interested in donating some of their sick leave to fellow employees who are ill or who have a family member who is ill and either doesn't have sick leave time or who is about to run out of sick leave. He stated information requests were sent out to see how other Cities handled the same situation. He stated he would like the Councils permission to proceed in producing a document and bringing it before the Council for approval.

Council Member Attaway made a motion for City Manager Winters to proceed in producing an amendment to the City of Aransas Pass' Personnel Policy to include a "sick leave pool". Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

16. **CONSIDER AND ACT ON SCHEDULING SEPTEMBER 22, 2010 TO HOLD A PUBLIC HEARING FOR THE 2010-2011 BUDGET.**

City Manager Winters stated, by law, the City will have to hold a public hearing on the budget and the public hearing would have to be published in the newspaper for at least 10 days prior.

Council Member Attaway made a motion to schedule September 22, 2010 at 7:00 p.m. for a public hearing on the budget. Council Member Hyatt seconded the motion and the motion carried unanimously.

17. **CONSIDER AND ACT ON SCHEDULING A WORKSHOP TO DISCUSS HARBOR DEVELOPMENT.**

Council Member McElwee made a motion to table Item No. 17. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

18. **CITIZENS COMMENTS.**

Mr. Gerald Shedd asked the City Council why the City of Aransas Pass had an arrest warrant for him.

Mayor Knight stated the Council could not address that issue since it was not an agenda item.

19. **RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:29 P.M.

A. **SECTION 551.071 CONSULTATION WITH ATTORNEY – PENDING LITIGATION**

20. **RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Reconvened into Regular Meeting at 7:42 P.M.

A. **SECTION 551.071 CONSULTATION WITH ATTORNEY – PENDING LITIGATION**

Council Member McElwee made a motion to approve the mediation agreement discussed in executive session. Council Member Attaway seconded the motion and the motion carried unanimously.

21. **ADJOURNMENT OF MEETING.**

Council Member Attaway made a motion to adjourn the meeting. Council Member Hyatt seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:44 P.M.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary